

0280 Commission on Judicial Performance

The California Commission on Judicial Performance is the independent state agency responsible for investigating complaints of judicial misconduct and judicial incapacity, and for disciplining judges pursuant to Article VI, Section 18 of the California Constitution. It is the only body with such authority in the state. Its jurisdiction includes all active judges and justices of California's superior courts, Courts of Appeal and Supreme Court, and former judges for conduct prior to retirement or resignation. The Commission also shares authority with the local courts for the oversight of court commissioners and referees. In addition to its disciplinary functions, the Commission is responsible for handling judges' applications for disability retirement.

The Commission's authority is limited to investigating alleged judicial misconduct and, if warranted, imposing discipline. Judicial misconduct usually involves conduct in conflict with the standards set forth in the Code of Judicial Ethics. After investigation and, in some cases a public hearing, the Commission may impose sanctions ranging from confidential discipline to removal from office.

The Commission is composed of 11 members: 3 judges appointed by the Supreme Court, 2 attorneys appointed by the Governor, and 6 lay citizens, of which 2 are appointed by the Governor, 2 are appointed by the Senate Committee on Rules, and 2 are appointed by the Speaker of the Assembly. Members are appointed to four-year terms and may serve two terms. Commission members do not receive a salary.

3-YR EXPENDITURES AND POSITIONS (Summary of Program Requirements)

	Positions			Expenditures		
	2007-08	2008-09	2009-10	2007-08*	2008-09*	2009-10*
10 Commission on Judicial Performance	19.9	27.0	27.0	\$4,335	\$4,071	\$4,101
TOTALS, POSITIONS AND EXPENDITURES (All Programs)	19.9	27.0	27.0	\$4,335	\$4,071	\$4,101
FUNDING				2007-08*	2008-09*	2009-10*
0001 General Fund				\$4,340	\$4,072	\$4,102
9728 Judicial Branch Workers' Compensation Fund				-5	-1	-1
TOTALS, EXPENDITURES, ALL FUNDS				\$4,335	\$4,071	\$4,101

LEGAL CITATIONS AND AUTHORITY

DEPARTMENT AUTHORITY

California Constitution, Article VI, Sections 8, 18, 18.1 and 18.5; Government Code, Sections 75060 et seq. and 75560 et seq.

DETAILED BUDGET ADJUSTMENTS

	2008-09*			2009-10*		
	General Fund	Other Funds	Positions	General Fund	Other Funds	Positions
Workload Budget Adjustments						
Other Workload Budget Adjustments						
• Retirement Rate Adjustment	-\$2	\$-	-	-\$2	\$-	-
• Miscellaneous Adjustments	-	-	-	30	-	-
Totals, Other Workload Budget Adjustments	-\$2	\$-	-	\$28	\$-	-
Totals, Workload Budget Adjustments	-\$2	\$-	-	\$28	\$-	-
Totals, Budget Adjustments	-\$2	\$-	-	\$28	\$-	-

DETAILED EXPENDITURES BY PROGRAM (Program Budget Detail)

		2007-08*	2008-09*	2009-10*
PROGRAM REQUIREMENTS				
10	COMMISSION ON JUDICIAL PERFORMANCE			
	State Operations:			
0001	General Fund	\$4,340	\$4,072	\$4,102
9728	Judicial Branch Workers' Compensation Fund	-5	-1	-1
	Totals, State Operations	\$4,335	\$4,071	\$4,101
TOTALS, EXPENDITURES				
	State Operations	4,335	4,071	4,101

* Dollars in thousands

0280 Commission on Judicial Performance - Continued

	2007-08*	2008-09*	2009-10*
Totals, Expenditures	\$4,335	\$4,071	\$4,101

EXPENDITURES BY CATEGORY (Summary By Object)

	Positions			Expenditures		
	2007-08	2008-09	2009-10	2007-08*	2008-09*	2009-10*
1 State Operations						
PERSONAL SERVICES						
Authorized Positions (Equals Sch. 7A)	19.9	27.0	27.0	\$2,130	\$2,782	\$2,817
Net Totals, Salaries and Wages	19.9	27.0	27.0	\$2,130	\$2,782	\$2,817
Staff Benefits	-	-	-	903	362	374
Totals, Personal Services	19.9	27.0	27.0	\$3,033	\$3,144	\$3,191
OPERATING EXPENSES AND EQUIPMENT				\$1,302	\$927	\$910
TOTALS, POSITIONS AND EXPENDITURES, ALL FUNDS (State Operations)				\$4,335	\$4,071	\$4,101

DETAIL OF APPROPRIATIONS AND ADJUSTMENTS (Reconciliation with Appropriations)

	2007-08*	2008-09*	2009-10*
1 STATE OPERATIONS			
0001 General Fund			
APPROPRIATIONS			
001 Budget Act appropriation	\$4,400	\$4,073	\$4,101
Allocation for employee compensation	104	-	-
Adjustment per Section 3.60	-9	-2	-
011 Budget Act appropriation (transfer to Judicial Branch Workers' Compensation Fund)	1	1	1
Totals Available	\$4,496	\$4,072	\$4,102
Unexpended balance, estimated savings	-156	-	-
TOTALS, EXPENDITURES	\$4,340	\$4,072	\$4,102
9728 Judicial Branch Workers' Compensation Fund			
APPROPRIATIONS			
TOTALS, EXPENDITURES	\$-	\$-	\$-
Less funding provided by the General Fund	-5	-1	-1
NET TOTALS, EXPENDITURES	\$-5	\$-1	\$-1
TOTALS, EXPENDITURES, ALL FUNDS (State Operations)	\$4,335	\$4,071	\$4,101